In the High Court of Judicature at Madras

Dated: 23.01.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Petition No.2577 of 2007
M.P.Nos.1 & 2 of 2007

1.P.Pyarelal Jain
2.P.Vinod
3.S.Lalitha
4.V.Rekha
5.P.Sanjay
6.P.Sunil
7.Suraj Devi
8.Gowtham Chand .. Petitioners

Vs..

Chennai Metropolitan
Development Authority,
rep. by its Member-Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai-8. .. Respondent

Writ petition filed under Article 226 of the Constitution o India, praying for issuance of a writ of Certiorarified Mandamus t call for the records of the respondent in letter No.EC2/8133/200 dated 02.01.2007 issued under Section 56 of the Tamil Nadu Town an Country Planning Act for demolition of the building put up at No.70 Sir Theyagaraya Road, Pondy Bazaar, T.Nagar, Chennai-17, quash th same and to forbear the respondent or any one on their behalf fro initiating any action of demolition for the constructions put up i the aforementioned property.

For Petitioners : Mr.R.Mohan
For Respondent : Mr.J.Ravindran for CMDA

ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

Aggrieved by the demolition notice dated 02.01.2007 issued unde Section 56 of the Tamil Nadu Town and Country Planning Act fo demolition of the building put up at No.70, Sir Theyagaraya Road Pondy Bazaar, T.Nagar, Chennai-17, the petitioners, numbering eight have filed the above writ petition to quash the same on variou grounds.

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2. On direction, Mr.Ravindran takes notice for the respondent.

3. We have verified the impugned demolition notice date 02.01.2007, which is available at page 13 of the typed set of papers It is brought to our notice that immediately on receipt of th demolition notice, the first petitioner for himself and as Powe Agent for others, made a detailed representation on 10.01.2007 t the respondent, wherein he mentioned about the planning permissio issued by the CMDA vide permit No.000160 dated 07.08.2000 fo basement + ground floor + 3 floors (part) shops cum office building In the same representation, he also highlighted payment o regularisation charges along with his application.

4. On going through the details furnished in the representatio dated 10.01.2007, we are of the view that the petitioners may be give one more opportunity. Accordingly, we direct the respondent t consider and dispose of the representation dated 10.01.2007 one wa or other, in accordance with law, within a period of eight weeks fro the date of receipt of a copy of this order. Till such fina order/decision being taken, the impugned demolition notice date 02.01.2007 shall be kept in abeyance.

5. With the above direction, the writ petition is disposed of No costs. Consequently, M.P.Nos.1 and 2 of 2007 are closed.

raa

Sd/
Asst. Registrar

/true copy/

Sub Asst.Registrar

To

The Member-Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-8.

1 CC TO MR.R. MOHAN, ADVOCATE SR 4094

W.P No.2577 of 2007

SR(CO)

BP/5.2 23.01.2007

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